

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JELLET LAW, P.S., 910 Harris Ave, Ste A206 Bellingham, WA 98225 TELEPHONE NO.: 360 527 9400 FAX NO. (Optional): EMAIL ADDRESS (Optional): matt@jelletlaw.com ATTORNEY FOR (Name): BRAD HOLTORF,		FOR COURT USE ONLY
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: BRAD HOLTORF,		CASE NUMBER: 3:09-CV-04560-EDL
DEFENDANT/RESPONDENT: SCOTT VOGLER, AN INDIVIDUAL AND POCKET BIKES UNLIMITED, A DOMESTIC CORPORATION		
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: P415638INF

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the (specify documents):
Summons in A Civil Action; Complaint; Order Setting Initial Case Management Conference and Adr Deadlines; Standing Order Re; Case Management Conference; Notice of Assignment of Case to A United States Magistrate Judge for Trial; Consent to Proceed Before A United States Magistrate Judge; Declination to Proceed Before A Magistrate Judge and Request for Reassignment to A United State District Judge; plaintiff's Certificate of Interested Entities or Persons
3. a. Party served (specify name of party as shown on documents served):
SCOTT VOGLER
 - b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
750 PARK Drive, BEN LOMOND, CA 95005
5. I served the party (check proper box)
 - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **5/25/2010** (2) at (time): **3:58 PM**
 - b. ☐ **by substituted service.** On (date): (2) at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person of at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

Form Adopted for Mandatory Use
 Judicial Council of California
 POS-010 [Rev. January 1, 2007]

PROOF OF SERVICE OF SUMMONS

Page 1 of 2
 Code of Civil Procedure, § 417.10

Order No. 8173639 SEA



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JELLETT LAW, P.S., 910 Harris Ave, Ste A206 Bellingham, WA 98225 TELEPHONE NO.: 360 527 9400 FAX NO. (Optional): EMAIL ADDRESS (Optional): matt@jellelaw.com ATTORNEY FOR (Name): BRAD HOLTORF,		FOR COURT USE ONLY
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DEFENDANT/RESPONDENT: SCOTT VOGLER, AN INDIVIDUAL AND POCKET BIKES UNLIMITED, A DOMESTIC CORPORATION		
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: P415638INF

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the (specify documents):
Summons in A Civil Action; Complaint; Order Setting Initial Case Management Conference and ADR Deadlines; Standing Order Re; Case Management Conference; Notice of Assignment of Case to A United States Magistrate Judge for Trial; Consent to Proceed Before A United States Magistrate Judge; Declaration to Proceed Before A Magistrate Judge and Request for Reassignment to A United State District Judge; plaintiff's Certificate of Interested Entities or Persons
3. a. Party served (specify name of party as shown on documents served):
SCOTT VOGLER
 - b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
750 PARK Drive, BEN LOMOND, CA 95005
5. I served the party (check proper box)
 - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **5/25/2010** (2) at (time): **3:58 PM**
 - b. ☐ **by substituted service.** On (date): (2) at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person of at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

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 P09-010 (Rev. January 1, 2007)

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Page 1 of 2
 Code of Civil Procedure, § 417.10

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PLAINTIFF/PETITIONER: BRAD HOLTORF,	CASE NUMBER: 3:09-CV-04560-EDL
DEFENDANT/RESPONDENT: SCOTT VOGLER, AN INDIVIDUAL AND POCKET BIKES UNLIMITED, A DOMESTIC CORPORATION	

- c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
 (1) on (date): (2) from (city):
 (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30)
 (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)
- d. ☐ **by other means** (specify means of service and authorizing code section):
- ☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☒ as an individual defendant.
 b. ☐ as the person sued under the fictitious name of (specify):
 c. ☐ as occupant
 d. ☐ On behalf of (specify):
 under the following Code of Civil Procedure section:
- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 416.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.80 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other |

7. Person who served papers

- a. Name: **Carl Moore**
 b. Address: **5301 Columbia ave, Richmond, CA 94804**
 c. Telephone number: **510-213-6813**
 d. The fee for service was: **\$170.00**
 e. I am:
 (1) ☐ not a registered California process server.
 (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
 (3) ☒ registered California process server:
 (i) ☐ owner ☐ employee ☒ independent contractor
 (ii) ☒ Registration No.: **2009-97**
 (iii) ☒ County: **Sacramento**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **5/27/2010**

Carl Moore

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

POS-010 (Rev. January 1, 2007)

Page 2 of 2



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